

956144-DEP1



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
(See Issuing Division below)
PERMIT*



The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1400-03-0014.1 FHA-030001
1400-03-0014.1 FWW-030001 (GP#2)
1400-03-0014.1 FHA-030002 (GP#10B)

Application No.

Issuance Date **DEC 04 2003**

Effective Date **DEC 04 2003**

Expiration Date **DEC 04 2008**

Name and Address of Applicant
New Jersey Department of Transportation
Attn: Joseph G. Sweger/ David Ahdout.
P.O. Box 600
Trenton, NJ 08625

Name and Address of Owner

Name and Address of Operator

Location of Activity/Facility (Street Address)
Lot: Various
Block: Various

Issuing Division

Land Use Regulation Program

Statute(s)
NJSA 13: 9B-1
NJSA 13: 1D-1
NJSA 58:10A-1
NJSA 58:16A-50, et. seq.

Type of Permit Stream Encroachment
Freshwater Wetlands

This permit grants permission to:

Construct a 48' wide bridge with three (3) spans of 56.92' and two (2) spans of 73.32' to replace an existing 42' wide bridge with two main spans and five approach spans for Rockaway Road crossing of Pequannock River, within the Townships of Rockaway and Randolph, Morris County, New Jersey. This permit includes Freshwater Wetlands General Permit Nos. 2 & 10B authorizations for the disturbance of 0.005 of wetlands and transition areas & 0.181 of an acre of wetlands/ transition area and 0.016 of an acre of State open waters respectively.

Prepared By:

Govind Ramamurthy

Govind Ramamurthy

(See page 6 for Manager's signature.)

Revised Date

Approved by the Department of Environmental Protection

Name (Print or Type) _____ Title _____

Signature _____ Title _____

Terms And Conditions

This permit is subject to the following terms and conditions:

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of the permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.
9. Limit and Extent of Approval
 - a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
 - b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until a new approval has been granted by the Department.
10. Method of Construction
 - a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall be subject to inspection at any time by representatives of the Department to ensure the continuous application of the

Terms And Conditions

provisions of this permit.

- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
- c. All activities authorized by this permit shall be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey* (obtainable from local Soil Conservation District offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.

11. Responsibilities of Applicant

- a. The granting of this permit does not in any way relieve the applicant and/or its agents from the responsibility for damages caused by any construction or activities hereby approved, nor does the Department accept responsibility for any structural designs.
- b. No construction authorized by this permit may begin until the enclosed **permit acceptance form** has been signed by the applicant and is returned to the Department. By signing and submitting this form, the applicant accepts this permit in its entirety and agrees to adhere to all of its terms and conditions. Please be advised that this permit may be declared null and void should it be determined that adequate measures had not been taken by the applicant and/or its agents to ensure the continuous implementation of these terms and conditions.
- c. Within ten (10) days of the receipt of this permit by the applicant, this permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this permit is located. Verified notice of this action shall be forwarded to the Department immediately thereafter.
- d. The enclosed **construction notice** shall be completed by the applicant or its agent and submitted to the Department at least fourteen (14) days prior to the commencement of the herein approved activities.
- e. The enclosed **completion report** shall be completed by a Professional Engineer licensed in the State of New Jersey and submitted to the Department within thirty (30) days after completion of the herein approved activities.

- 12. All excavated material and dredged spoils must be disposed of in a lawful manner outside of any regulated flood plain, open water, freshwater wetlands or adjacent transition areas, and in such a way as to not interfere with the positive drainage of the receiving area.

13. All necessary local, Federal, and other state approvals must be obtained by the applicant prior to the commencement of the herein permitted activities. Approvals from the following may be required:
 - a) ~~Bergen~~ ^{Morris} County Soil Conservation District
14. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on site. This includes, but is not limited to, the cleaning and inspection of all water quality inlets at least twice a year and after every major storm, and the continuous implementation of appropriate soil conservation practices within any grassed swales, storm water outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways.
15. Any discharge of dredged or fill material shall consist of clean, suitable material free from toxic pollutants (see 40 CFR 401) in toxic amounts, and shall comply with all applicable Department rules and specifications regarding use of dredged or fill materials.
16. Prior to construction, the project site must be surveyed for the presence of turtles at an appropriate time of year (May thru September) when wood turtles are active and can be found and removed from the construction site to safe areas. Immediately following the survey, the construction site must be encompassed by silt fence or other small-meshed fencing or cofferdam to prevent turtles from re-entering the construction area. Unless the survey and fence/cofferdam can be provided at the appropriate time prior to construction, construction activities are not permitted from **October 1 through April 1** of each year to protect turtles within the stream, stream banks and NJDEP jurisdictional areas.
17. In order to protect the trout-maintenance fisheries within Rockaway River, any proposed excavation or construction activities within the banks of this or any other stream on site are prohibited between **March 15 through June 30** of each year. If cofferdams are installed prior to the timing restriction, work may continue during the restriction period within the confines of the cofferdams. However, any activity within the 100-year flood plain or flood hazard area of this watercourse, which could introduce sediment into said streams or which could cause an increase in the natural level of turbidity, is prohibited during this period. The Department reserves the right to suspend all regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
18. Any and all precautions are to be taken to prevent raw concrete, which is toxic to fish, from coming in contact with the waters of Rockaway River.
19. Disturbed stream banks and adjacent areas are to be restored using native plant materials including woody vegetation that grows to a height to replace lost shading of the stream channel. Restoration of stream shading is required in order to restore conditions for thermal stability within the project area. The location of trees should take into consideration the location of the underground utilities.

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20. The clearing of trees 6 inches dbh (diameter breast high) or greater within the project area may not occur from **April 1 thru November 15** of each year (limited tree clearing may be conducted upon receipt by this office of written approval from the US Fish & Wildlife Service for clearing during the restricted period).

Freshwater Wetlands General Permit 10B

21. This permit authorizes the disturbance of a maximum of 0.181 acres of wetland and transition area and 0.016 acres of State open water. The Freshwater Wetlands Statewide General Permit No. 10A authorizes the replacement of the existing bridge with widening of 12 feet to the west of the existing bridge location. The authorization of activities under this Freshwater Wetlands Statewide General Permit includes a transition area which has been determined by the Department to be necessary to accomplish the authorized activities. In addition, this permit to conduct a regulated activity in a wetland or open water includes the Department's approval of a Water Quality Certificate for these activities.
22. This permit does not authorize the temporary use of any wetlands or transition areas beyond the limits of the proposed work other than specifically approved by this permit or as detailed by approved drawings. Such use of regulated areas applies to the storage or staging of construction materials (including debris/spoil piles), equipment, and workers' vehicles. The applicant shall direct the contractors to locate all staging and storage areas outside of wetlands and wetland buffers not approved for use by this permit.
23. Dewatering of cofferdams must include properly sized temporary sediment basins or other filtering methods to reduce turbidity. The stream area to receive return water discharged from cofferdams must be encompassed by turbidity barrier. The turbidity barrier must be located parallel to the stream banks and anchored to the shoreline to maintain free flow of the stream center. In order to avoid obstruction of stream flows or fish passage, turbidity barriers must not be placed across the stream channel.

Freshwater Wetlands General Permit 2

24. The total amount of disturbance to wetlands and transition areas associated with this authorization shall not exceed 0.005 acres.
25. The upper-most 18-inches of any excavation shall be backfilled with the original soil material if feasible, and otherwise with clean suitable material free from toxic pollutants (see 40 CFR 401) in toxic amounts, and shall comply with all applicable Department rules and specifications regarding use of dredged or fill material. Excavations must be backfilled to the preexisting elevation.
 - (a) The area above the excavation must be replanted with native, indigenous species.
 - (b) The activity shall be designed so as not to interfere with the natural hydraulic characteristics of the wetland and watershed.
26. The drawings hereby approved are twenty-eight (28) sheets prepared by The Louis Berger Group, dated November 24, 2003, unrevised, unless otherwise noted, entitled:

"STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION PLANS OF ROCKAWAY ROAD BRIDGE OVER MORRISTOWNLINE (N.J.TRANSIT) CONTRACT NO. NJDEP STREAM ENCROACHMENT PERMIT TOWNSHIPS OF RANDOLPH AND ROCKAWAY COUNTY OF MORRIS OCTOBER 2002", cover sheet,

"NEW JERSEY DEPARTMENT OF TRANSPORTATION ROCKAWAY BRIDGE OVER MORRIS COUNTY LINE (N.J.TRANSIT)

"TYPICAL SECTIONS", sheet no. 2,

" CONSTRUCTION PLANS", sheet nos. 4 & 5,

"DRAINAGE AND UTILITY PLANS", sheet nos. 6 to 9,

" ENVIRONMENTAL KEY PLAN", sheet no. 11,

"ENVIRONMENTAL PLANS", sheet nos. 12 & 13,

" ENVIRONMENTAL PLANS (SOIL EROSION & SEDIMENT CONTROL DETAILS) sheet nos. 14 & 15,

" PROFILE", sheet no. 16,

"ROCKAWAY RIVER KEY MAP", sheet no. 17, dated August 5, 2003,

"ROCKAWAY RIVER EXISTING & PROPOSED PROFILE", sheet no. 18, dated August 2003,

"ROCKAWAY RIVER CROSS SECTIONS", sheet nos. 19 to 21, dated August 5, 2003,

" GENERAL PLAN & elevation sheet 1", sheet no. 22,

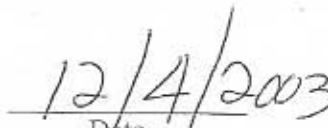
" GENERAL PLAN & elevation sheet 2", sheet no. 23,

" WETLANDS PLANS", sheet nos. 24 & 25,

" SWALE DETAILS", sheet no. 26,

" CROSS SECTIONS", sheet nos. 27 to 30.


Robert B. Piel, Manager
Bureau of Inland Regulation


Date